REMARKS/ARGUMENTS

By way of an Office Action mailed June 7, 2006, the Office Action rejects claims 1-19 under 35 U.S.C. § 102 as being anticipated by O'Brien et al., U.S. Patent No. 6,990,578. Respectfully, Applicant believes that O'Brien does not anticipate the independent or dependent claims, as amended, since O'Brien is limited to e-mail client processing and the current invention intercepts an electronic message from the e-mail client for encryption without e-mail client processing.

In O'Brien, "the client software 308 retrieves the user's digital certificate over the network." (O'Brien, col. 5, lines 10-12). Therefore, it is the client software that performs the function of retrieving the digital certificate of the user. Further, in O'Brien, the retrieved digital certificate is then used to encrypt the mail message. (O'Brien, col. 5, lines 14 and 15). Once encrypted, the e-mail message is placed in the outbox and is either sent to the groupwise server immediately or scheduled to be sent at a later time. (O'Brien, col. 5, lines 15-19). Clearly, O'Brien requires the client software to perform the functionality of retrieving a digital certificate, encrypting the message, and then sending it to a group or server. (O'Brien, col. 5, lines 10-19). Further, O'Brien's outgoing mail processing sends the message after it has been encrypted. (O'Brien, col. 5, lines 46-49. O'Brien uses the "sender's mail software" to "request the recipient certificate from the server and use the received certificate to encrypt the mail message before it leaves the sender's work station." (O'Brien, col. 3, lines 17-20).

In the current invention, the e-mail client does not process the electronic message

for an encryption. Rather, the computer readable encryption instructions receive the electronic message from the e-mail client prior to any processing or encryption of the e-mail. Therefore, the current invention intercepts the e-mail as it is sent from the e-mail client to a server to perform the encryption. The current invention does not require the e-mail client to retrieve a certificate or to encrypt the message. Therefore, the current invention can be added to an existing e-mail system without the need to replace the e-mail client.
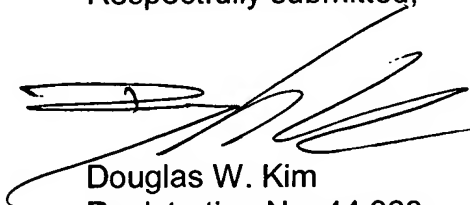
As O'Brien is limited to the e-mail client retrieving the certificate, encrypting the message, and sending the message to a server, it does not anticipate the independent claims as amended since the current invention does not perform any processing of encryption at the e-mail client.

Specifically, claim 1 states that "computer readable encryption instructions embodied in a computer readable medium for receiving an electronic message **from said e-mail client....** Claim 8 of the current invention states that "computer readable decryption instructions embodied within said computer readable medium **for receiving a recipient's access attempt from a client....**" Claim 13 states that "receiving an electronic message from an e-mail client...." Therefore, the independent claims are not anticipated by O'Brien as the independent claims and dependent claims show that messages do not require processing at the e-mail client. As the independent claims are not anticipated by O'Brien, the dependent claims are also not anticipated by O'Brien.

CONCLUSION

Respectfully, the Applicant requests that the independent claims and associated dependent claims, be allowed to pass to issuance in the normal course of Patent Office business.

Respectfully submitted,

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